

ATTACHMENT II-1
POST-CLOSURE PLAN

- * References and citations made to specific sections, tables, figures or other sources which are not included in this Attachment are available in BFI's revised Post-Closure Permit application, dated May, 1989 and is in the Administrative Record. The Administrative Record is located at U. S. Environmental Protection Agency, Region II, Permits Administration Branch, 26 Federal Plaza, New York, N.Y., 10278 and the Puerto Rico Environmental Quality Board, Santurce, Puerto Rico, 00910-1488.

MODULE IV
POST-CLOSURE CARE

- A. MODULE HIGHLIGHTS. The Permittee, BFI of Ponce, Inc. and the Municipality of Ponce operate a municipal waste landfill in Ponce Puerto Rico. In the past, hazardous waste was disposed in the landfill. BFI and the Municipality have not allowed the disposal of hazardous waste in the landfill since 1983. The exact composition of the hazardous waste and quantity of hazardous waste disposed in the landfill is unknown. It is the EPA's intent to regulate this unit as a closed RCRA unit until the Subtitle D regulations are published as final rules. The Permittee is allowed to continue the use of the unit as a municipal landfill. For this reason the permit is a combination of the pertinent RCRA requirements and guidance of Subtitle D requirements.
- B. UNIT IDENTIFICATION. The Permittee shall provide post-closure care for the following hazardous waste management unit subject to the terms and conditions of this permit; in accordance with the provisions of the Post-Closure Plan, Permit Attachment II-1; and as described below:

<u>Type of Waste Unit</u>	<u>Maximum Waste Inventory</u>	<u>Description of Waste Contained</u>
Landfill	4.6 mil. y ³ Unknown 2,500 gal. 9,000 y ³ 2,800 y ³ 20,800 y ³ Unknown	Municipal Waste PCB Oil From Spills Caustic soda Hydrocarbon sludge Hydrocarbon sludge Caustics Wastewater Treatment Sludge

C. POST-CLOSURE PROCEDURES AND USE OF PROPERTY.

1. The Permittee shall conduct post-closure care for the hazardous waste management unit listed in Permit Condition IV.B above, to begin upon receipt of this permit and to continue for 30 years after that date, except that the 30-year post-closure care period may be shortened upon application and demonstration approved by EPA that the facility is secure, or may be extended by EPA if the Regional Administrator finds this is necessary to protect human health and the environment (40 C.F.R. § 264.117(a)).

2. The Permittee shall comply with the requirements for landfills, as follows:
 - (a) Maintain the integrity and effectiveness of the partial and final covers, including making repairs to the cap, as necessary, to correct the effects of settling, subsidence, erosion, or other events;
 - (b) Maintain and monitor the groundwater monitoring system and comply with all applicable requirements of Modules IV and V of this permit.
 - (c) Protect and maintain surveyed benchmarks used in complying with the surveying and recordkeeping requirements of this permit.
 3. The Permittee shall not allow any use of the unit designated in Permit Condition IV.B other than those specified in the permit. In addition, the integrity of the facility's monitoring system will be preserved during the post-closure care period.
 4. The Permittee shall implement the Post-Closure Plan. All post-closure care activities must be conducted in accordance with the provisions of the Post-Closure Plan and this permit.
- D. INSPECTION. The Permittee shall inspect the components, structures and equipment at the site in accordance with the Inspection Schedule, Permit Attachment II-1.
- E. NOTICES AND CERTIFICATION.
1. No later than 60 days after the effective date of this permit, the Permittee shall submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the Regional Administrator, a record of the type, location, and quantity of waste disposed of within each cell or other disposal unit of the facility. For wastes disposed of before January 12, 1981, the Permittee shall identify the type, location, and quantity of the wastes to the best of his/her knowledge and in accordance with any records the Permittee has kept.

2. Within 60 days after the effective date of this permit, the Permittee shall:
 - (a) Record, in accordance with Puerto Rico law, a notation on the deed to the facility property -- or on some other instrument that is normally examined during the title search -- that will in perpetuity notify any potential purchaser of the property that:
 - (i) The land has been used to manage hazardous wastes;
 - (ii) Its use is restricted under 40 C.F.R. Part 264 Subpart G regulations; and,
 - (iii) The survey plat and record of the type, location, and quantity of hazardous wastes disposed of within each cell or other hazardous waste disposal unit of the facility have been filed with the Regional Administrator and "proper authorities" in Puerto Rico.
 - (b) Submit a certification to the Regional Administrator, signed by the Permittee, that the notation specified in Permit Condition IV.E.2(a) has been recorded, including a copy of the document in which the notation has been placed.
3. If the Permittee or any subsequent owner or operator of the land upon which the hazardous waste disposal unit is located, wishes to remove hazardous wastes and hazardous waste residue, or any contaminated soil, a request for a modification to this post-closure permit in accordance with the applicable requirements in 40 C.F.R. Parts 124 and 270 shall be made. The Permittee or any subsequent owner or operator of the land shall demonstrate that the removal of the hazardous waste will satisfy the criteria of 40 C.F.R. § 264.117(c).
4. No later than 60 days after completion of the established post-closure care period for each hazardous waste disposal unit, the Permittee shall submit to the Regional Administrator, by registered mail, a certification that the post-closure care for the hazardous waste disposal unit was performed in accordance with the specifications in the approved Post-Closure Plan. The certification must be signed by the Permittee and an independent, registered professional engineer. Documentation supporting the independent, registered professional engineer's

certification must be furnished to the Regional Administrator upon request until the Regional Administrator releases the Permittee from the financial assurance requirements for post-closure care under 40 C.F.R. § 264.145(1).

F. COST ESTIMATE FOR POST-CLOSURE CARE.

1. The Permittee's most recent post-closure cost estimate is specified in the Post-Closure Plan, Permit Attachment II-1.
2. The Permittee must revise the post-closure cost estimate whenever there is a change in the facility's Post-Closure Plan.
3. The Permittee must keep at the facility the latest post-closure cost estimate.

G. FINANCIAL ASSURANCE.

1. Within 60 days of receipt of this permit, the Permittee shall provide to the Regional Administrator a copy of the Permittee's financial assurance.
2. The Permittee shall maintain financial assurance during the post-closure care period and comply with all applicable requirements of 40 C.F.R. § 264 Subpart H. Changes in financial assurance mechanisms must be approved by the Regional Administrator (40 CFR §§ 264.145 and 264.149).